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**AUG 21 2006**

NO. 3088 P. 1

FORM PTO-1083

**PATENT**

Attorney Docket No. 216474  
Client Reference No. 3044-01 (US) BK  
Date: August 21, 2006

In re Application of: CRYSTAL et al.  
Application No. 10/649,457  
Filed: August 27, 2003  
For: GENETIC VACCINES DIRECTED AGAINST BACTERIAL EXOTOXINS

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**BEST AVAILABLE COPY**

Sir:

Transmitted herewith is a reply to office action in the subject application.

- ☒ Small entity status is claimed for this application under 37 CFR 1.27.
- ☒ Petition for an extension of time for the period noted below, as well as for any additional period necessary to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.
- ☐ Other:
- ☒ Please charge Deposit Account No. 12-1216 in the total amount indicated below. A duplicate copy of this transmittal sheet is enclosed herewith.

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
TIME EXTENSION PETITION FEE			none		\$ 0.00		\$ 0.00	
subtract time extension fee previously paid			none		(\$ 0.00)		(\$ 0.00)	
CLAIM FEE	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADD'L CLAIM FEE	RATE	ADD'L CLAIM FEE
TOTAL	33	MINUS	41	= 0	x 25 =	\$	x 50 =	\$
INDEPENDENT	1	MINUS	3	= 0	x 100 =	\$	x 200 =	\$
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 180 =	\$	+ 360 =	\$
TOTAL AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT					TOTAL	\$	TOTAL	\$

- ☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LEYDIG, VOIT & MAYER, LTD.

Leydig, Voit & Mayer, Ltd.  
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By Jennifer M. Duk  
Jennifer M. Duk, Reg. No. 52,836

Amendment or ROA Transmittal (Revised 5/9/05)

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NO. 3088 P. 2

FORM PTO-1083

AUG 21 2006

**PATENT**

Attorney Docket No. 216474

Client Reference No. 3044-01 (US) BK

Date: August 21, 2006

In re Application of: CRYSTAL et al.

Application No. 10/649,457

Filed: August 27, 2003

For: GENETIC VACCINES DIRECTED AGAINST BACTERIAL EXOTOXINS

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

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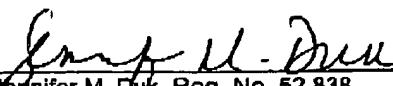
- ☒ Small entity status is claimed for this application under 37 CFR 1.27.
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- ☐ Other:
- ☒ Please charge Deposit Account No. 12-1216 in the total amount indicated below. A duplicate copy of this transmittal sheet is enclosed herewith.

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
TIME EXTENSION PETITION FEE				none	\$ 0.00		\$ 0.00	
subtract time extension fee previously paid				none	(\$ 0.00)		(\$ 0.00)	
CLAIM FEE	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADD'L CLAIM FEE	RATE	ADD'L CLAIM FEE
TOTAL	33	MINUS	41	= 0	x 25 =	\$	x 50 =	\$
INDEPENDENT	1	MINUS	3	= 0	x 100 =	\$	x 200 =	\$
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 180 =	\$	+ 360 =	\$
TOTAL AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT					TOTAL	\$	TOTAL	\$

- ☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LEYDIG, VOIT &amp; MAYER, LTD.

By   
 Jennifer M. Duk, Reg. No. 52,838

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Amendment or ROA Transmittal (Revised 5/9/05)